

PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 1795**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hirotsuna MIURA et al.

Group Art Unit: 1795

Application No.: 10/806,160

Examiner: M. RUTHKOSKY

Filed: March 23, 2004

Docket No.: 119210

For: FUEL CELL, METHOD OF MANUFACTURING THE SAME, ELECTRONIC
APPARATUS AND VEHICLE

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the November 26, 2008 Office Action, reconsideration of the rejection is respectfully requested in light of the following remarks.

Claims 1-10 are pending in this application. Claims 3-6, 9 and 10 stand withdrawn.

Claims 1, 2, 7 and 8 are alternately rejected under 35 U.S.C. §§ 102(b), 102(e) or 103(a) over U.S. Patent No. 6,991,870¹ to Yasumoto et al. ("Yasumoto"). This rejection is respectfully traversed.

Claim 1 recites a first and second "electron collection layer." Yasumoto does not disclose or suggest such a layer. The Office Action asserts Figs. 4 or 10 of Yasumoto

¹ Alternately cited as U.S. Patent Application No. 2003/0087145 and WO 02/073721.